



City of Oakland

Objective Design Standards

For 4-8 Story Residential & Mixed-Use
Multifamily Development

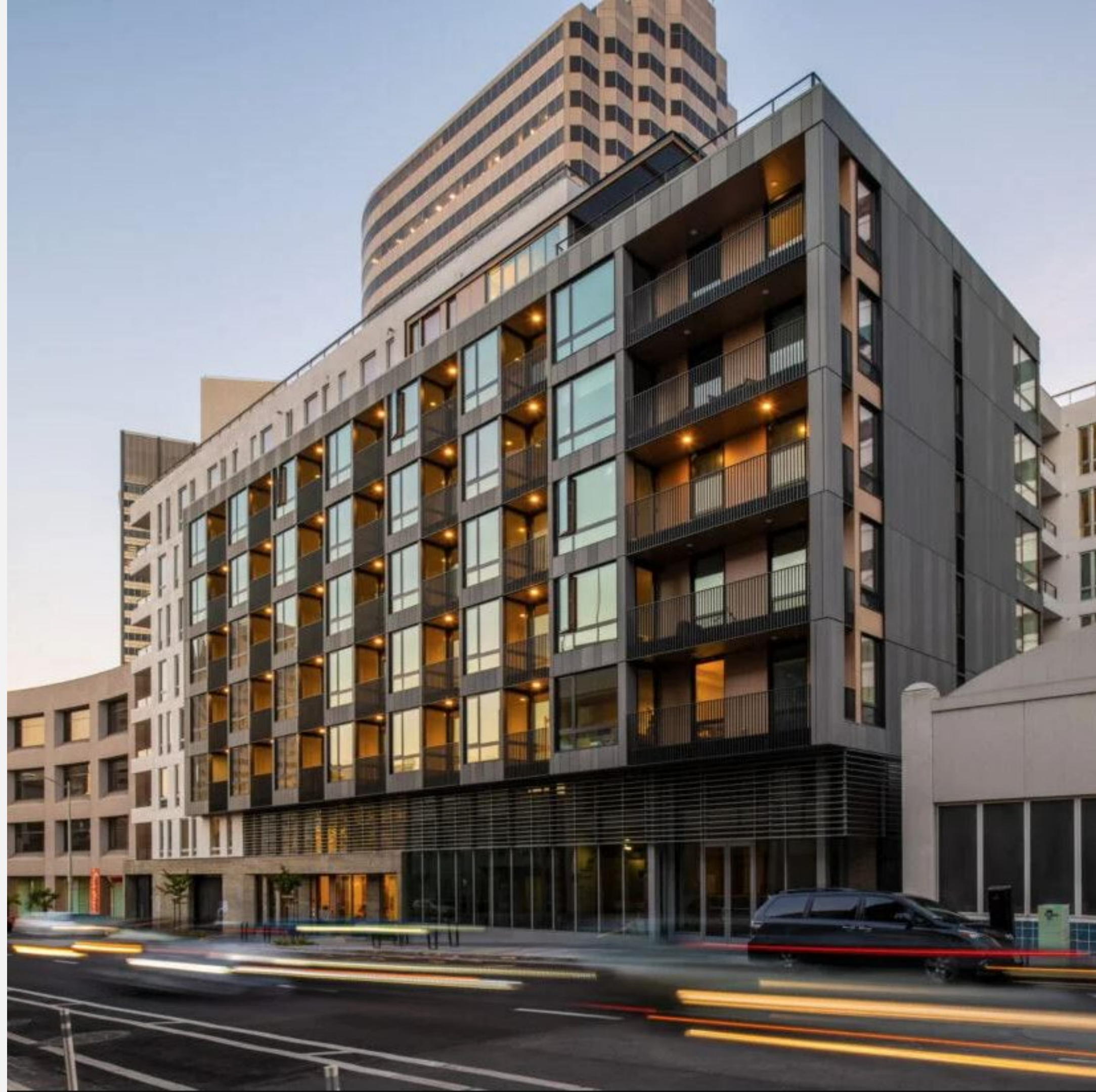
Design Review Committee Meeting

July 24, 2024

Outline

- **Project Description**
 - Why ODS are required? State law and local contexts
 - Ministerial “By-Right” Design Review
- **ODS Applicability**
- **Iterative Process**
- **ODS Organization and Key Aspects**
- **Key Design Considerations**
- **Other Key Considerations**
- **Community Engagement and Feedback**

Project Description



Project Description

Why ODS are required? State law context.

- Build more new high-quality housing, faster.
- Comply with state laws intended to move cities toward streamlined review processes for housing, based on ODS. Laws include:
 - **Housing Accountability Act (HAA)**. Prevents denial or density reduction of housing projects compliant with objective criteria.
 - **SB35/SB423 Project Streamlining**. Review is limited to 90-180 days, depending on project size. No discretionary review permitted. CEQA does not apply.
 - **SB330 Housing Crisis Act**. Prohibits cities from enforcing subjective standards.
 - Additional Legislation includes **AB 2162** (Supportive Housing Streamlined Approval); **SB 9** (Housing Opportunity and Efficiency Act); **SB 684** (Small Sites Streamlining); **AB 2011** (Affordable Housing and High Road Jobs Act) - all contain language mandating streamlined review for projects consistent with ODS.

Project Description

Why ODS are required? Local context.

- Comply with local legislation for ministerial “by-right” approval for S-13 and S-14 affordable housing combining zones.
- City Council Resolution directed Planning Staff to study incentives that would encourage and streamline creation of affordable housing.
- Comply with Housing Element Action to implement ODS.
- Until ODS are adopted, the City is limited in enforcing compliance with existing design guidelines, as they are not sufficiently objective.



Affordable Housing in Oakland – Mural at MacArthur, VMWP Architects

Ministerial “By-Right” Design Review

Ministerial “By-Right” Design Review:

- **“By-right”** means that a project can be approved without requiring discretionary review or public input (e.g., public hearings and appeals). Note: ODS proposal does not create any additional by-right project categories.
- **“Ministerial”** design review involves decisions made based on objective rules and standards such as ODS, without personal or subjective judgment by a public official.
- Under the ministerial by-right process applications are approved or denied **based solely on applicable objective criteria**, including ODS, zoning, and other existing objective requirements.
- Most existing design guidelines cannot be used in ministerial by-right design review as they are not objective.



Ministerial “By-Right” Design Review

Ministerial “By-Right” Design Review:

- Provides certainty to housing developers that their projects will be approved if they meet ODS and other objective requirements.
- Assures neighbors that new buildings will meet basic community design expectations known in advance.
- Speeds up the production of a wide variety of housing and aids in affordability
- This approach utilizes a streamlined, transparent, and measurable "checklist" method that eliminates the need for subjective evaluation.



Tahanan Supportive Housing, David Baker Architects

Objective Design Standards Applicability

How will ODS Apply?

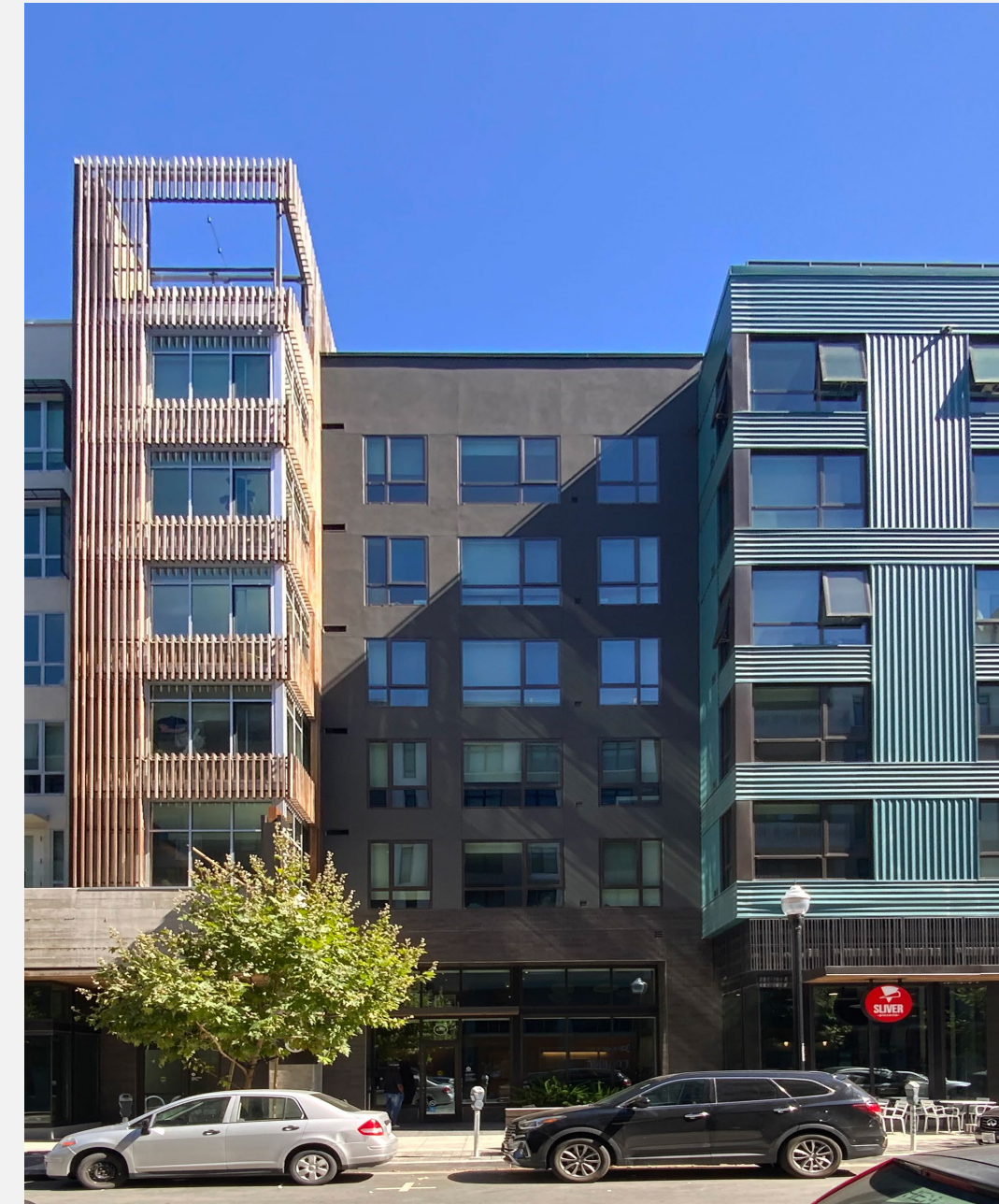
- The proposal would create ODS for eligible 4-8 story multifamily developments, applicable Citywide (staff priority).
- ODS will apply to projects undergoing the “by-right” ministerial review pathways, including both state and local programs:
 - 100% affordable housing, S-13 Affordable Housing Combining Zone and S-14 Housing Sites Combining Zone by-right review.
 - SB-35, SB-684, AB-2162, SB-9, and AB-2011 state-required projects.



Iterative Process

ODS Evolution

- The Design Review Committee (DRC) and the Planning Commission (PC) will provide feedback on each set of ODS.
- DRC and PC will influence the standards before they apply to ensure that ODS support high quality, context-sensitive development.
- ODS for 1-3 story residential developments will be prepared next, followed by 9+ story development
- As ODS are tested, their applicability may expand to other housing projects seeking streamlined approval.



Zoning & General Plan Analysis


Consistency with Existing Regulations.

- ODS complement the existing zoning standards and align with goals, policies and actions of the Oakland General Plan and Housing Element. If ODS conflicts with the Planning Code, the Planning Code standard always prevails.
- While zoning controls land use regulations and the general building envelope, ODS address site and building design aspects previously governed by design guidelines.
- ODS draw from existing adopted City regulations, design guidelines, and Area plans. If an eligible housing project is reviewed ministerially and meets all ODS, the City's existing design guidelines will not apply.
- All OMC regulations under the purview of other City Departments and Standard Conditions of Approval will continue to apply.

ODS Organization and Key Aspects

- **Site Planning and Design.** Outlines essential urban design principles that contribute to creating a livable, accessible, and safe urban environment consistent with established development patterns. Key focus areas in this section include:
 - Building Placement and Pedestrian Access
 - Vehicular Access and Parking
 - Services and Utilities
 - Open Space
 - Landscape and Trees

- **Building Scale, Form and Blank Walls.** Helps integrate large building volumes into the urban context, preventing imposing and monolithic structures.
 - Building Mass
 - Mitigation of Blank Walls



OBJECTIVE DESIGN STANDARDS
For Four- to Eight-Story Multifamily Residential and Mixed-Use Developments

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ODS Organization and Key Aspects

- **Façade Treatments and Articulation.** Enhance visual richness and character, reduce the monolithic appearance of buildings, adding visual interest and providing context transitions.
 - Ground Floor Commercial and Storefront Elements
 - Ground Floor Residential

- **Building Elements.**
 - Building Entrances. Well-designed and easily accessible building entrances shape the overall design and character of buildings and neighborhoods.
 - Awnings, Screens, and Coverings add articulation and weather protection.
 - Windows and Glazing. Provide depth and detail to facades and define building balance
 - Roofs, Parapets, and Balconies.
 - Quality Materials. Ensure durability and sustainability.

BUILDING SCALE AND FORM STANDARDS	Project Complies?		
	Yes	No	N/A
Context Standards			
<p>2.1.1 Height Context Transition. If adjacent lots abutting the side lot lines of a subject lot contain a Designated Historic Property (DHP) or Potentially Designated Historic Property (PDHP) rated "A" or "B" with a height lower than that of the subject property, a height transition shall be provided. This height transition shall apply for a minimum of the first 10 feet or 10% of the lot width (whichever is less) from the abutting side property line. Within this area, the height of the subject property must not exceed 50% of the height difference between the designated historic building and the subject property. On Corridors, this height transition can be applied from the side or front of the proposed building.</p> <p>Exception: In Downtown zones (DT) (as defined in the Downtown Oakland Specific Plan), this standard applies in zones with a 55-foot height limit, and in any DT zone if a proposal is adjacent to a Civic building that is a DHP or PDHP rated "A" or "B".</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>2.1.2 Contextual Massing Breaks. For proposals outside of Corridors, a minimum of one 5-foot wide and 3-foot-deep recess or projection shall be provided along each interior property line shared with a one- to three-story residential building at maximum intervals of 50 feet and extend the entire height of the building.</p> <p>For projects on Corridors, if an existing adjacent building along the shared interior property line includes light wells, and the proposed and existing buildings are three feet or less apart, the proposal shall include a light well directly across from the existing light well. This light well shall have minimum dimensions of 3 feet deep by 5 feet wide.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building Mass			
<p>2.1.3 Massing Breaks. For building frontages and continuous street walls that are 150 feet or longer, at least one massing break shall be provided for every 150 feet of frontage from following options:</p> <p>Note that each option can be used more than once.</p> <p>a. A recess or projection in the building massing that is at least 5 feet wide and at least 2 feet deep and extends the full height of the building above the base including a break in the roofline.</p> <p>b. An exterior court at the street level that is a minimum of 10 feet by 10 feet, is open to the sky, and is visually open to the street on at least one side. This court could be a part of the setback required by the underlying Zoning district. Fences are allowed if they comply with Zoning. Note: this option is allowed on Corridors only if other options on this list are not feasible.</p> <p>c. A portal that is at least 10 feet wide and has a minimum vertical clearance of 12 feet. Fences are allowed at such portals if they comply with Zoning.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>2.1.4 Building Corners. Buildings at street intersections where at least one of the streets is a Corridor, shall include at least two of the following features for at least 20% of each building frontage length along the street, but not less than 15 feet, measured from the intersection of the setback lines at the corner:</p> <p>a. Build to minimum setback along both front and corner side of building, followed by a massing break as specified in 2.1.3, depending on the length of the building.</p> <p>b. Corner building mass at least 3 feet taller than the rest of the building facade along the intersecting streets, as allowed by the underlying Zoning.</p> <p>c. Corner building mass that is a minimum of 3 feet shorter than the adjacent building massing on the same development site.</p> <p>d. Changes in roof form (such as a change from pitched to flat) or breaks in roof line such as those specified in 3.3.2 (b) or 4.5.4 (a) or (b).</p> <p>e. Habitable projections above the ground floor area of up to 50% of the building height. Any projections into public right of way must comply with Zoning and OakDOT requirements.</p> <p>f. Window wall systems (full glass and metal panels) at the corners.</p> <p>g. An architectural feature such as a rounded or cut corner, tower/cupola, or similar. The feature shall extend at least half the building height (shall have a vertical length of at least 50% of the building height situated in any portion(s) of the building corner along a vertical axis). This option is not subject to the minimum facade length requirements.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Key Design Considerations



Key Design Considerations

Relation to Diverse Neighborhood Contexts and Historic Contexts.

ODS include 14 context transition standards that help new buildings integrate into existing neighborhoods. These ODS are crucial in the absence of design guidelines, and address the following aspects of building design:

- Setback
- Height
- Massing breaks
- Building base height
- Building base articulation
- Building top articulation
- Ground floor expression line
- Ground floor shade elements
- Roof form (only for 4 story buildings)
- Roof eaves and overhangs (only for 4 story buildings)
- Window orientation and groupings
- Window materials (in APIs)
- Building materials

Context ODS include exceptions, choices, and other types of built-in flexibility. Most context standards apply only in rare cases when a proposal is adjacent to Local Register Properties or Designated Historic Properties, which account for about 2% of buildings.

Key Design Considerations: Context Transition

Standard Topic	Brief Standard Description	Applicability
Setback transition	Front lot setback transition must be at least 50% of the setback of the existing adjacent historic properties for a minimum of the first 10 feet.	On Corridors: If an adjacent lot contains a Civic building that is a DHP or PDHP (rated A, B or C). Off Corridors: When adjacent lot contains a Local Register Property.
Height transition	50% of the height difference for the first 10 feet is required if adjacent lots with DHP or PDHP(A or B) are lower than the subject property.	On Corridors: Applies. In Downtown it applies only in 55-foot zones. In other DT zones applies if adjacent to Civic DHP or PDHP (A or B). Off Corridors: Applies if adjacent lots contain a DHP or PDHP (A or B).
Massing breaks	A recess or projection along interior property lines at intervals of 50 feet or light wells if buildings are within 3'	On Corridors: If existing adjacent building has light wells and is within 3 feet of the proposal. Off Corridors: If shared with a one- to three-story residential building.

Key Design Considerations

Accessibility Priorities.

- ODS prioritizes accessibility in the built environment, particularly for people with limited mobility, by implementing several key measures including:
- Priority for at-grade entries for residential units in buildings with ground-floor residential uses
- Limit the ground floor level height for commercial entries
- Direct pedestrian access from adjacent sidewalks to primary building entries
- Min. 5-foot-wide pedestrian pathway to access building entrances, lobbies, and any ground-floor dwelling units.
- Limits on curb cut frequency. Curb cuts are prohibited on streets with existing or proposed protected bike lanes, unless no other street frontage is available.



Key Design Considerations

Massing Breaks & Articulation.

- Minor breaks in building mass are important for responding to lower-density contexts and creating visual interest, especially in larger developments.
- Planning staff have been careful to avoid overly prescriptive, frequent, deep, and arbitrary massing breaks and articulation requirements that can increase project costs, complicate weatherproofing, and result in "busy" building designs.
- The proposed standards are intended to carefully balance these priorities and achieve the appropriate articulation level for larger buildings without negatively impacting future proposals.

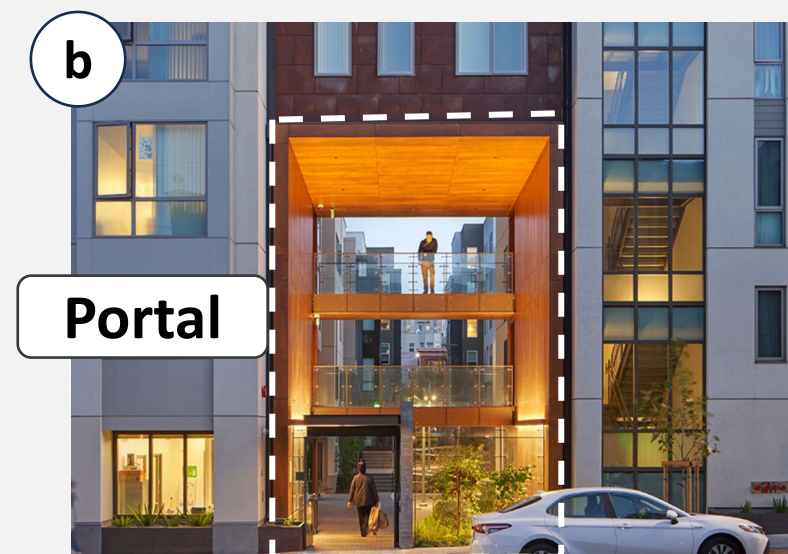
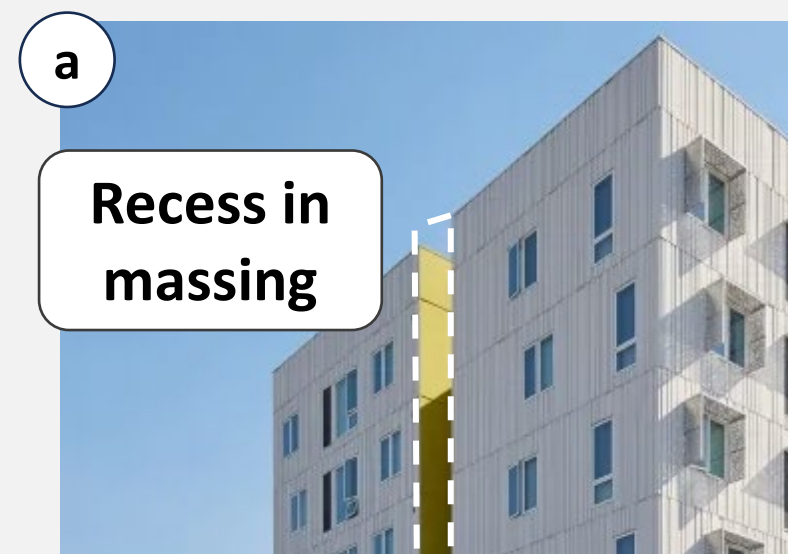


Key Design Considerations

Massing Breaks & Articulation ODS Example.

For building frontages that are **150 feet** or longer, at least **one** massing break shall be provided from following options:

- a. A recess or projection in the building massing that is at least 5 feet wide and at least 2 feet deep and extends the full height of the building above the base including a break in the roofline.
- b. A portal that is at least 10 feet wide and has a minimum vertical clearance of 12 feet.
- c. An exterior court at the street level that is a minimum of 10 feet by 10 feet, is open to the sky, and is visually open to the street on at least one side.



Key Design Considerations

Ground Floor Design Standards.

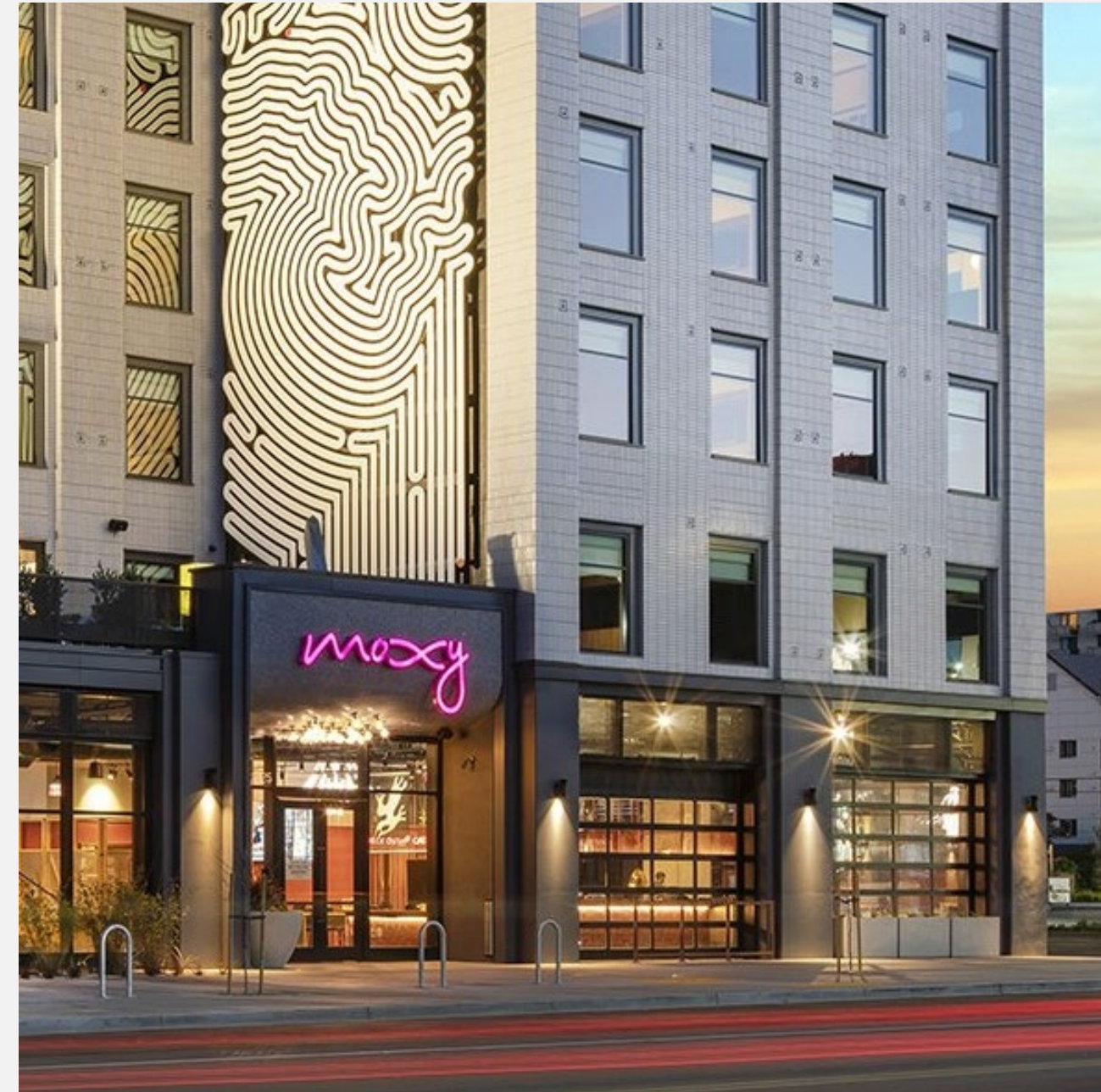
- Ground-floor is the most important element of buildings since most people experience the city at the ground level.
- This experience is achieved through ground floor articulation and entry design standards.
- Elements such as larger windows, columns, awnings, cornices, high-quality and durable materials, and various architectural features contribute to the success of ground floors.



Key Design Considerations

Ground Floor: Commercial and Residential.

- Commercial ground floor standards promote transparent and inviting storefronts, shop displays, architectural detailing, recessed entries, and outdoor uses.
- Residential ground floor standards foster visual connections between spaces, such as lobbies, and the street; promote prominent and differentiated ground floors that help relate buildings to context; recessed and covered entries that face the street, material changes, public art, and cornices above the ground floor.



Key Design Considerations

Ground Floor ODS Example.

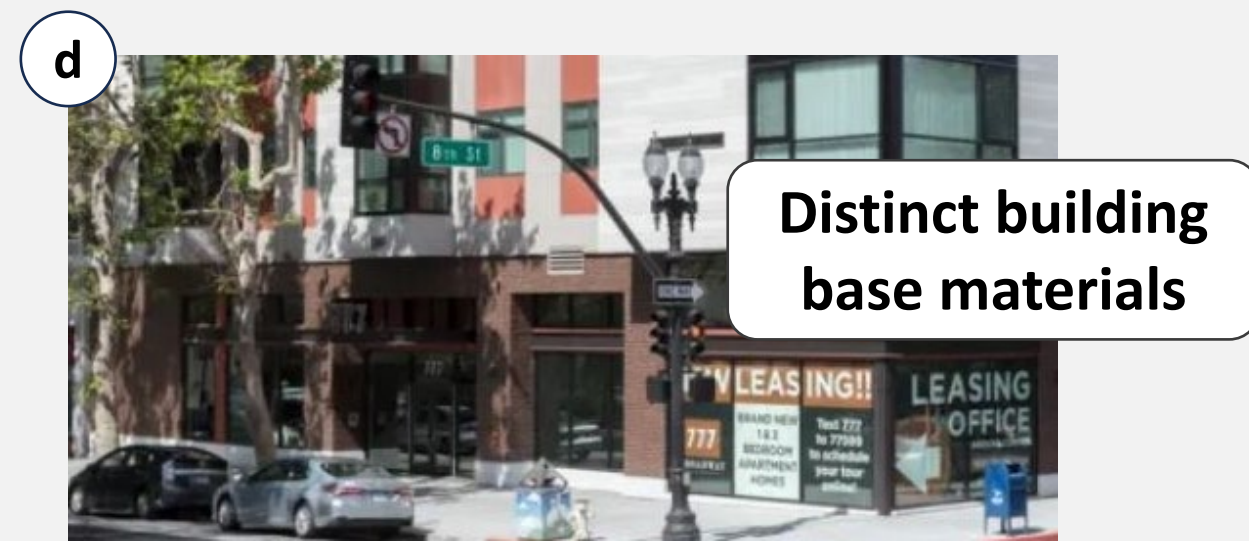
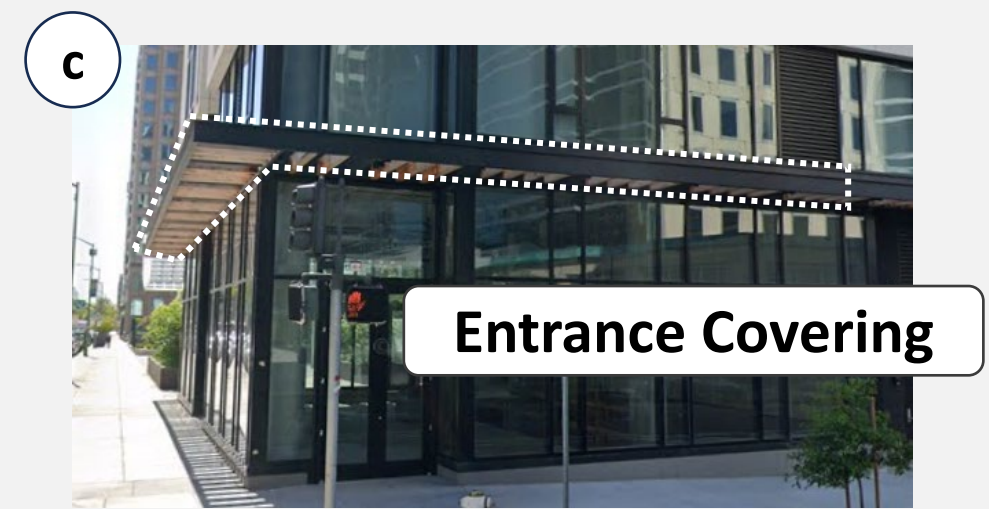
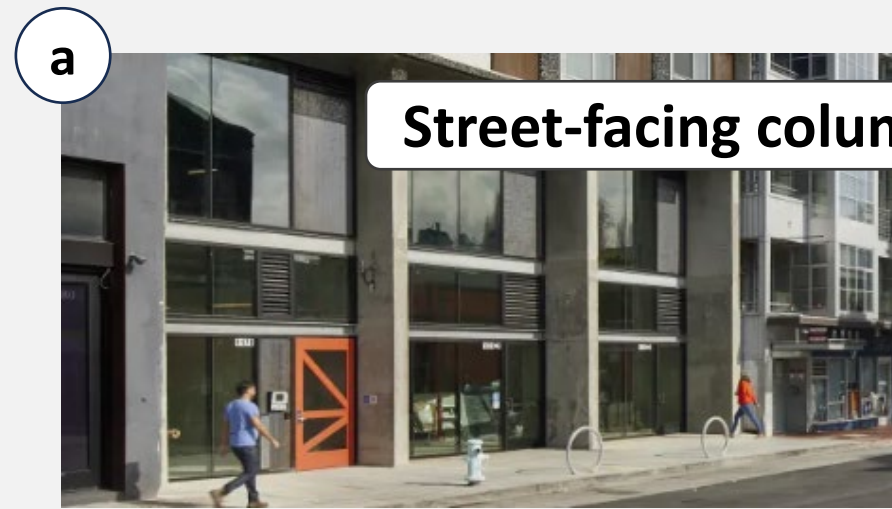
The base of new buildings and street-facing additions of 4 or more stories in height shall be articulated using at least **two** of the following:

- a. Columns or pilasters that are a maximum of 30 feet on center and project from the street facing building by at least 6 inches in depth and at least 1 foot in width.
- b. Rhythmic pattern of fixed awnings, sunshades, canopies, or screens that are at least 18 inches deep.
- c. Primary building entrance (lobby or a shared entrance) that meets the Primary Building Entrance for Lobbies and Entrance Covering standards.
- d. Distinct materials from the remainder of the façade that is a minimum of 20% of the building area with no change less than 3 feet by 10 feet, along with a change in plane of at least 2 inches from the wall surface of the remainder of the building.
- e. Cornices separating the ground floor from floors above for at least 80% of façade length.

Key Design Considerations

Ground Floor ODS Example Continued.

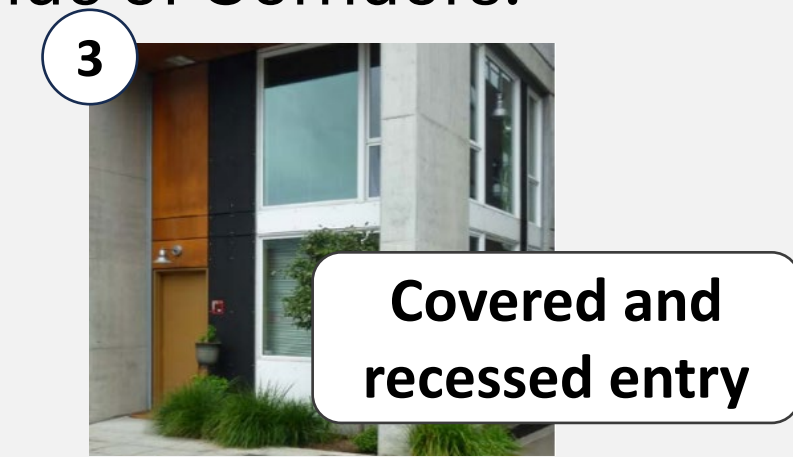
The base of new buildings and street-facing additions of 4 or more stories in height shall be articulated using at least **two** of the following:



Key Design Considerations

Additional Options for Residential Ground Floors.

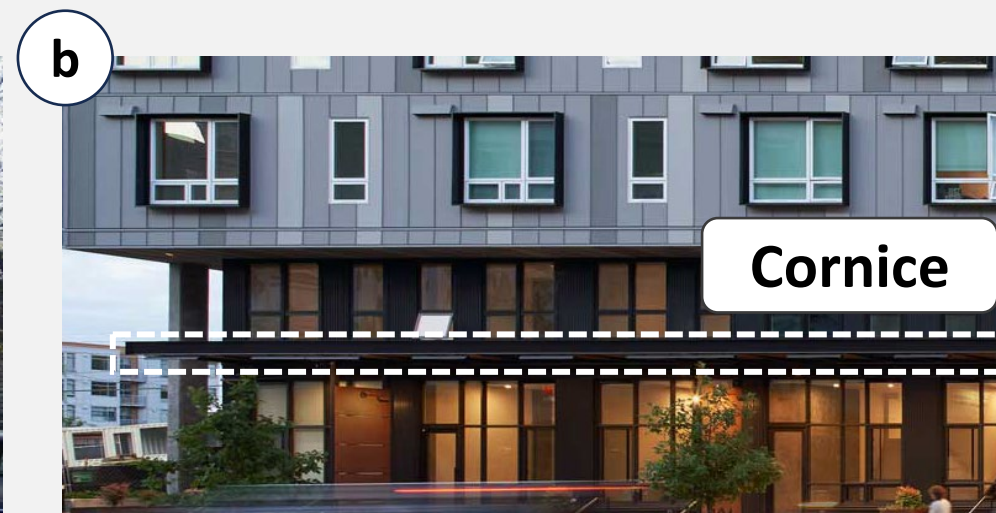
- a. Bays that are at least 5 feet wide and project from the street-facing building by at least 2 feet. Any projections into public right of way must comply with Zoning and OakDOT permitting requirements.
- b. Stoops with covered landings located at a maximum distance of 30 feet from each other.
- c. Covered and recessed entries that are a minimum of 6 feet wide and 6 feet deep. This option is required if the majority (60% or more) of existing buildings in the Immediate Context Area include porches or covered and recessed entries outside of Corridors.



Key Design Considerations

Additional Options for Commercial Ground Floors.

- a. Windows that are larger on the ground floor than windows above ground floor.
- b. A horizontal design feature such as a water table, bellyband, or a cornice applied to the transition between the ground floor and upper floors.
- c. A belt course with a change in material of at least 3 feet in height as measured from the sidewalk grade or a feature such as frieze or similar ornamentation at least 12 inches in height, placed between 4 and 7 feet above grade.



Key Design Considerations

Storefront Elements ODS Example.

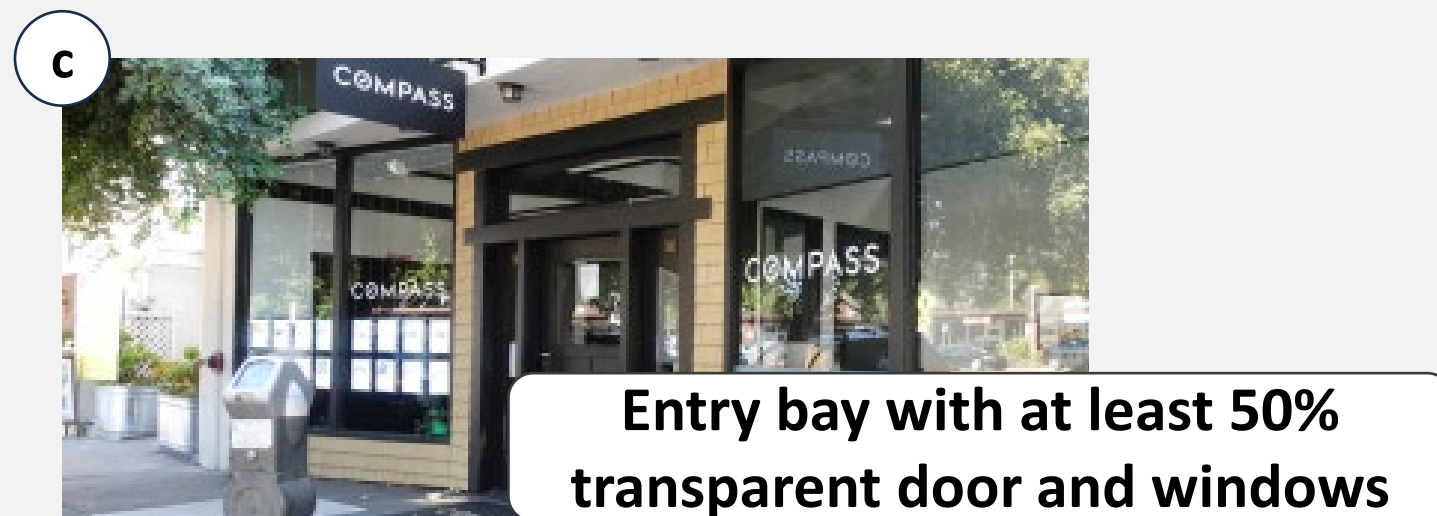
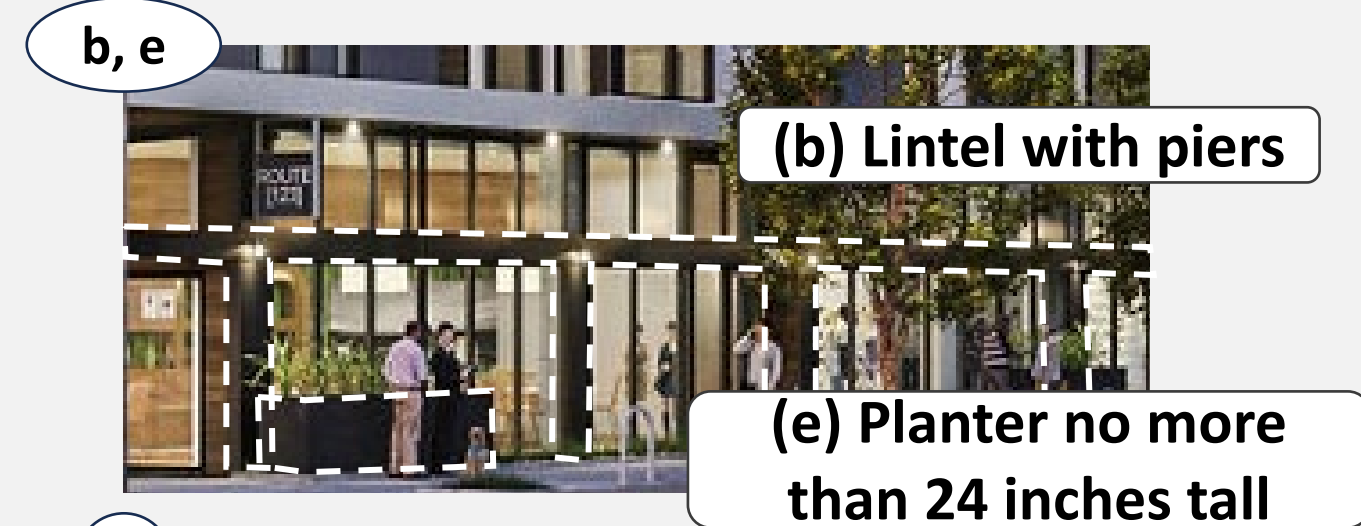
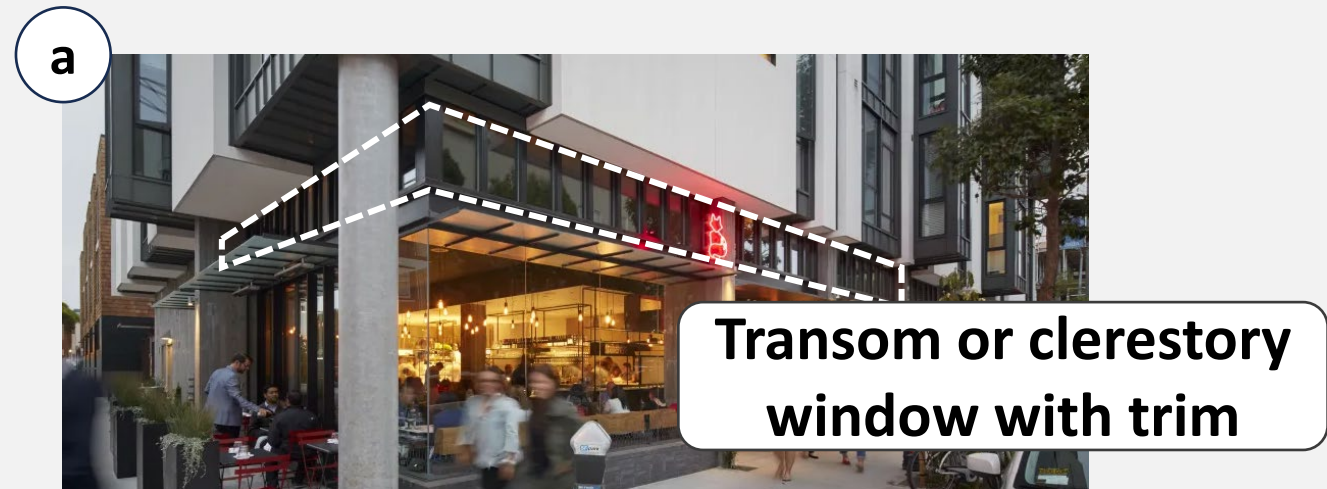
Commercial facades shall provide at least three of the following elements of a typical storefront:

- a. Transom or Clerestory window with a window trim. If transom windows are proposed, they shall be at least 18 inches high.
- b. Lintel with piers that connect lintel to the ground.
- c. Entry bays with display windows and entry doors that are at least 50% transparent.
- d. Where appropriate to support storefront windows, a bulkhead of at least 6 inches and no more than 24 inches in height, measured from the adjacent sidewalk. Storefront windows shall be set at or within 1 inch of the face of the bulkhead or the bulkhead materials shall be incorporated into the sill detailing.
- e. Planters up to 24 inches in height, made of concrete, steel or similar durable material, set parallel to the street against storefront walls.

Key Design Considerations

Storefront Elements ODS Example Continued.

Commercial facades shall provide at least three of the following elements of a typical storefront:

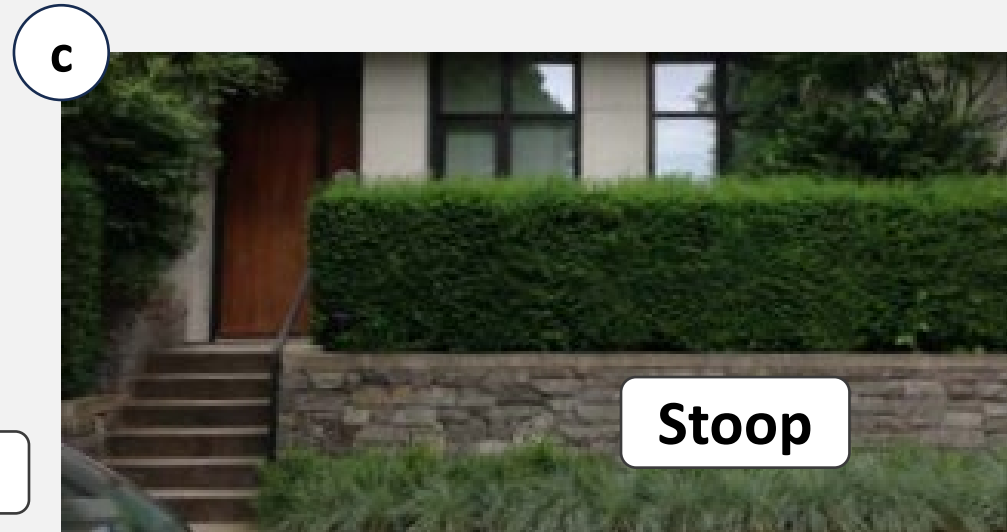
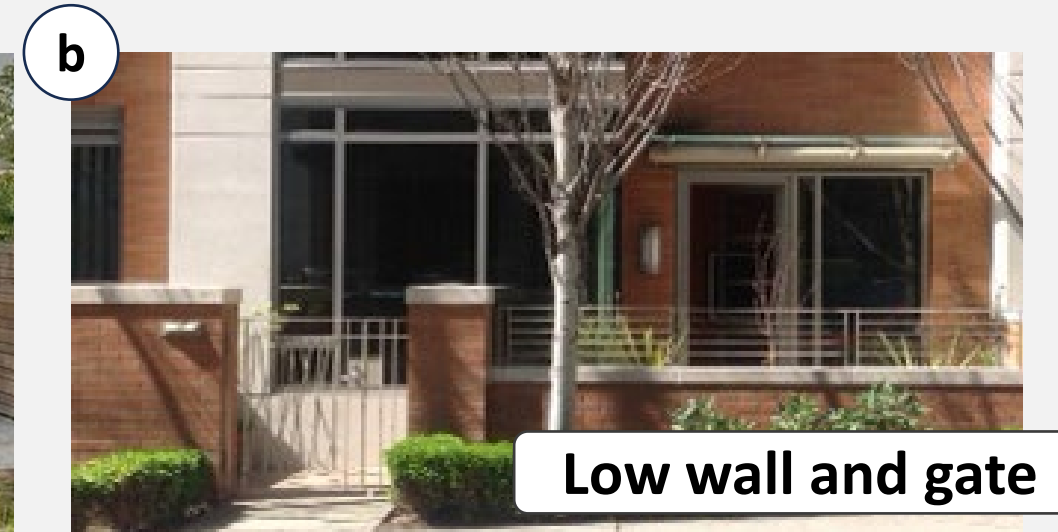
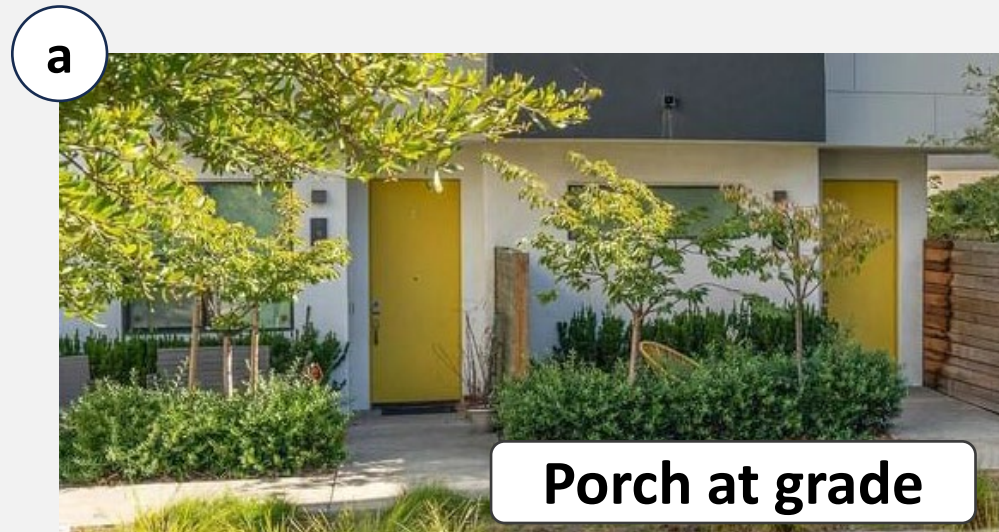


Key Design Considerations

Residential Ground Floor Setbacks ODS Example.

When provided, setbacks facing the street, shall be utilized to create a transition between the public space and ground floor residential uses by providing at least one of the following features:

- a. Porches **at grade** with minimum dimension of 5 feet wide by 3 feet deep.
- b. Low walls or fences and gates that are a maximum of 3.5 feet tall when provided. If the wall is proposed, it must be set back by a minimum of 2 feet and that setback is planted.
- c. Stoops, **if other options are not physically feasible**. A reason must be provided.



Other Key Considerations

- **Equitable Outcomes:** Reducing barriers to higher-density multifamily housing, streamlining approvals, enhancing transparency, and lowering permitting barriers. Increase housing availability and affordability, for the most vulnerable residents.
- **Grounding in Local Regulatory Context, Local Expertise, and Consistency with Existing Zoning Regulations.** ODS are grounded in local design priorities and realities, and have been tested internally on several real proposals.
- ODS provide **flexibility** by offering multiple options and exceptions tailored to specific building categories. ODS are evaluated for **feasibility** to avoid imposing significant burdens on projects. By streamlining the design review process, ODS accelerate **efficiency** in project approvals. They enhance project **consistency and predictability**, addressing community concerns about future developments in advance. This allows Planning staff to focus on more complex projects requiring discretionary review.

Community Engagement and Feedback

- Community feedback has been instrumental in shaping the ODS.
- To date Planning staff hosted several community engagement events including:
 - Four stakeholder meetings
 - Two focus group meetings
 - Two advisory group meetings
 - A community workshop on 4-8 story ODS
 - Posted regular project updates, shared several ODS documents, including the Public Review Draft ODS
 - Received and considered multiple comments in drafting the proposed ODS.

Project documents and meeting recordings are posted on the project website:



<https://www.oaklandca.gov/topics/objective-design-standards>

Community Feedback

- The project team carefully considered all public comments and modified ODS to reflect community feedback, including the following:
- Reducing requirements for building **massing breaks** and making them more flexible, particularly for smaller developments.
 - Staff increased the distance for when the breaks are required from 100 feet to 150 feet of building frontage, **essentially exempting smaller developments.**
 - The extent of the massing break has been reduced to exclude the ground floor portion of the building.
 - Options for building articulation have been expanded, making the requirement more adaptable.

Community Feedback

- Addressed the **contextual conformity** through standards for:
 - Setback, height (including building base height), massing breaks, building entries, architectural articulation, roof forms, windows and surface materials.
- However, certain context standards, such as matching architectural detail and style, are intentionally excluded from ODS because they impose a significant burden on applicants to survey and replicate existing architectural details, ornamentation, or styles. This also places a burden on Planning staff to verify the appropriateness of the contextual response that opens a room for subjective interpretations. Such standards would not be feasible for the by-right ministerial process. ODS does not require replication of such articulation elements.

Community Feedback

- Staff reduced **context-related requirements** such as height and setback context transitions.
 - In most cases, staff narrowed down categories of context buildings significantly to only highly rated historic buildings that have been exemplary contributors to their neighborhoods. Application of such standards will be rare and used only when necessary to create highly desired transitions.
 - Relaxed window context standard by increasing the threshold for its application, removing the requirement to use one of the provided grouping types, and expanding the number of suggested options.

Community Feedback

- Ground Floor Standards.
 - Staff increased the maximum finished floor elevation limit for commercial ground floor entries for sloped sites.
 - Added outdoor planters as an option to articulate storefronts.
 - Removed the upper limit for building projections
 - Added various additional articulation elements to provide more choices, making it easier to meet the standards.
- Full public comments along with staff responses are accessible on the project webpage: <https://www.oaklandca.gov/topics/objective-design-standards>

ODS Information and Materials

**Project documents and meeting recordings are posted
on the project website:**

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Follow-up questions or comments? Email ODS@oaklandca.gov

Appendix

Oakland Historic Resources

